

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Masaki Umayabashi

Serial No.: 10/617,353

Group Art Unit: 2171

Filing Date: July 11, 2003

Examiner: Unknown

For: **FRAME TRANSFER METHOD AND NODE IN NETWORK, AND FRAME TRANSFER PROGRAM**

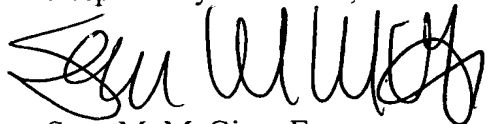
Honorable Commissioner of Patents
Alexandria, VA 22313-1450

SUBMISSION OF ASSIGNMENT

Sir:

Kindly record and return to the undersigned the attached Assignment from Masaki Umayabashi, Kazuo TAKAGI, Youichi HIDAKA, Nobuyuki ENOMOTO, Atsushi IWATA, and Makoto SHIBUTANI to NEC Corporation, for the above-identified patent application. The recording fee \$ 40.00 is included in the total fee for filing the Missing Parts for the above-identified application, a check for which accompanies this submission.

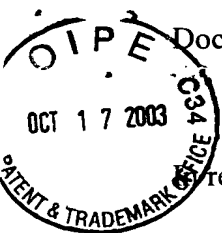
Respectfully submitted,



Sean M. McGinn, Esq.
Registration No. 34,386

Date: 10/17/03

McGinn & Gibb, PLLC
Intellectual Property Law
8321 Courthouse Road, Suite 200
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Customer No. 21254



Docket No. MA-580-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of

Masaki Umayabashi, et al.

Serial No.: 10/617,353

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TRANSFER PROGRAM

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

SUBMISSION OF DECLARATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (copy attached), dated October 8, 2003, submitted herewith is the signed declaration for the above-identified patent application, along with our check in the amount of \$5,266 to cover the \$770 application fee, the \$130 surcharge for the late filing of the declaration, and \$40 for the assignment recordation fee and \$4,326 for additional claim fee.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's
Deposit Account No. 50-0481.

Respectfully submitted,

Sean M. McGinn, Esq.
Registration No. 34,386

Date: 10/17/03
McGinn & Gibb, PLLC
Intellectual Property Law
8321 Courthouse Road, Suite 200
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DECLARATION AND POWER OF ATTORNEY



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FRAME TRANSFER METHOD AND NODE IN NETWORK, AND FRAME TRANSFER PROGRAM

the specification of which:
(check one)

 (is attached hereto)
 X was filed on July 11, 2003
as Application Serial No. 10/617,353
and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			priority claimed	
<u>2002-204673</u>	<u>Japan</u>	<u>12/July/2002</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	yes	no
<u>2002-239465</u>	<u>Japan</u>	<u>20/August/2002</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	yes	no
<u>2003-041179</u>	<u>Japan</u>	<u>19/February/2003</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	yes	no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
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Power of Attorney: As a named inventor, I hereby appoint Sean M. McGinn, Reg. No. 34, 386, and Frederick W. Gibb, III, Reg. No. 37,629, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn & Gibb, PLLC at (703) 761-4100. Customer No. 21254

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole

Joint Inventor, If Any Masaki Umayabashi

Inventor's Signature Masaki Umayabashi  Date July 10, 2003


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Second

Joint Inventor, If Any Kazuo Takagi

Inventor's Signature Kazuo Takagi  Date July 10, 2003

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Third

Joint Inventor, If Any Youichi Hidaka

Inventor's Signature Youichi Hidaka Date July 10, 2003


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Fourth

Joint Inventor, If Any Nobuyuki Enomoto

Inventor's Signature Nobuyuki Enomoto  Date July 10, 2003

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

(An additional sheet(s) is/are attached hereto if the present invention includes more than four inventors.)

*Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

Full Name of Sole

Joint Inventor, If Any Atsushi Iwata

Inventor's Signature Atsushi Iwata Date July 10, 2003

Residence Tokyo, Japan

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Full Name of Second

Joint Inventor, If Any Makoto Shibutani

Inventor's Signature Makoto Shibutani  Date July 10, 2003

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Full Name of Third

Joint Inventor, If Any _____

Inventor's Signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full Name of Fourth

Joint Inventor, If Any _____

Inventor's Signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

(An additional sheet(s) is/are attached hereto if the present invention includes more than four inventors.)

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